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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/840,204	05/06/2004	Arnold W. Johansen	81885	7256

7590 06/07/2005
KRIEGSMAN & KRIEGSMAN
665 Franklin Street
Framingham, MA 01702

EXAMINER

ZARROLI, MICHAEL C

ART UNIT	PAPER NUMBER
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2839

DATE MAILED: 06/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary	Application No.		Applicant(s)	
	10/840,204		JOHANSEN ET AL.	
	Examiner		Art Unit	
	Michael C. Zarroli		2839	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 May 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-33 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 13-22 is/are allowed.
- 6) ☒ Claim(s) 1,2,23,24,29 and 30 is/are rejected.
- 7) ☒ Claim(s) 3-12,25-28 and 31-33 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 06 May 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>5/6/04</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-2 rejected under 35 U.S.C. 102(e) as being clearly anticipated by Kobayashi.

Kobayashi discloses a terminal block (10) for conductively coupling at least one pair of electrical wires (paragraph 0003), the terminal block comprising:

- (a) a non-conductive base (11, 16),
- (b) a first conductive bus bar (24) mounted on the base,
- (c) a second conductive bus bar (23) mounted on the base in a spaced apart relationship (fig. 2) from the first bus bar, and
- (d) a conductive shunt (30) adapted to be disposed into selective common contact with both of the first and second bus bars (fig. 5).

Regarding claim 2 Kobayashi discloses a non-conductive shuttle (case 30 at end of 30a & 30b) coupled to the conductive shunt.

Claim Rejections - 35 USC § 103

3. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary.

Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 23-24, 29-30 rejected under 35 U.S.C. 103(a) as being unpatentable over Glover et al in view of Johnson.

Glover discloses a terminal block (1) for conductively coupling at least one pair of electrical wires (fig. 1), the terminal block comprising: a non-conductive base (col. 2 line 10), an end cap (34) mounted on the base, the end cap being adapted to be mounted on a DIN rail (2), the end cap having an outer end wall (fig. 1), and a DIN rail lock (40) the DIN rail lock being adapted to selectively engage the DIN rail (fig. 1).

Glover does not disclose a bus bar or the DIN rail lock inside the outer end wall. Johnson discloses a bus bar (200) and a DIN rail. At the time the invention was made it would have been obvious to one of ordinary skill in the art to include a bus bar in the device of Glover as taught by Johnson. This modification is well known in the art and in fact is suggested by Glover since he does disclose a high voltage block. At the time the invention was made it would have been obvious to one of ordinary skill in the art to modify Glover by having the DIN rail lock disposed inside the outer end wall. The motivation for this position alteration would be to provide more room on the DIN rail for other connections. Well settled case law has said that barring any important reason to do so merely shifting the location of parts is not grounds for patentability *In re Japiske*, 181 F. 2d 1019, 1023, 86 USPQ 70, 73 (CCPA 1950)

Regarding claim 24 Glover discloses that the DIN rail lock is coupled to at least one of the base and the end cap (fig. 1).

Regarding claim 30 Glover discloses that the end cap is snap-fit mounted (at 38) onto the mounting block of the base.

Allowable Subject Matter

6. Claims 3-12, 25-28, 31-33 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

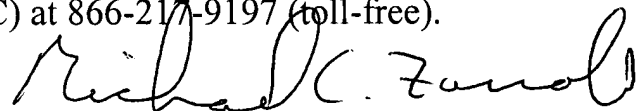
7. The following is a statement of reasons for the indication of allowable subject matter: The combination of claim 3 specifically the movable shuttle. The combination of claim 3 specifically the spring chamber coupling. The combination of claim 13 specifically the captive screw retained in the bore of the cover. The combination of claim 25 specifically the DIN rail lock pin. The combination of claim 31 specifically the tooth that engages a rib on the end cap.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael C. Zarroli whose telephone number is 571-272-2101. The examiner can normally be reached on 7:30 to 3:30 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, T.C. Patel can be reached on (571) 272-2800 ext 39. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Michael C. Zarroli
Primary Examiner
Art Unit 2839

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